

AL-14-000-5420

DAVID VITTER  
LOUISIANA

DEPUTY WHIP

Environment and Public Works  
Top-Ranking Republican

Armed Services

Banking, Housing, and Urban Affairs

Small Business and Entrepreneurship

## United States Senate

WASHINGTON, DC 20510

February 5, 2014

WASHINGTON, D.C.  
HART SENATE OFFICE BUILDING  
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WASHINGTON, DC 20510  
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FAX: (202) 228-5061

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858 CONVENTION STREET  
BATON ROUGE, LA 70802  
(225) 383-0331  
FAX: (225) 383-0952

Website with E-Mail Access:  
vitter.senate.gov

Environmental Protection Agency

Attn: Laura Vaught

Associate Administrator for Congressional and Intergovernmental Relations

1200 Pennsylvania Avenue, NW, Room 3426 ARN

Washington, DC 20460

Dear Ms. Vaught:

Enclosed is a Privacy Release Form and a letter from constituent *exempt*. He is currently involved in a civil lawsuit on the matter.

Should you have any questions, contact me through Hayden Haynes in my Northeast Louisiana Regional Office at 318/325-8120 or 1651 Louisville Avenue, Suite 148, Monroe, LA 71201. He is also able to be reached via email [hayden\\_haynes@vitter.senate.gov](mailto:hayden_haynes@vitter.senate.gov)

Please copy Hayden Haynes on your response to Mr. Dickey's inquiry.

Thank you for your time.

Sincerely,



David Vitter  
United States Senate

DBV/jhh  
enclosure

ACADIANA	CENTRAL LOUISIANA	NORTHEAST LOUISIANA	NORTHWEST LOUISIANA	SOUTHEAST LOUISIANA	SOUTHWEST LOUISIANA
2201 KALISTE SALOOM ROAD SUITE 201 LAFAYETTE, LA 70508 (337) 993-9502 FAX: (337) 993-9567	6501 COLISEUM BOULEVARD SUITE 700-A ALEXANDRIA, LA 71303 (318) 448-0169 FAX: (318) 448-0189	1651 LOUISVILLE AVENUE SUITE 148 MONROE, LA 71201 (318) 325-8120 FAX: (318) 325-9165	920 PIERREMONT ROAD SUITE 113 SHREVEPORT, LA 71106 (318) 861-0437 FAX: (318) 861-4865	2800 VETERANS BOULEVARD SUITE 201 METAIRIE, LA 70002 (504) 589-2753 FAX: (504) 589-2607	949 RYAN STREET SUITE E LAKE CHARLES, LA 70601 (337) 436-0453 FAX: (337) 436-3163

U. S. S E N A T O R

David Vitter



### Privacy Release Form

Federal Agencies are prohibited by law from releasing any information or discussing an individual without that individual's permission. As required by the Federal Freedom of Information and Privacy Act, I hereby authorize Senator Vitter to request and access information concerning me in the files of:

EPA

(Federal department or agency; fill in above)

Name: exempt Date of Birth: exempt  
Physical Address: exempt Address City State Zip Code  
Mailing Address: same Address City State Zip Code  
Telephone: (Home) exempt (Work) exempt  
Email: exempt (Cell) exempt

List any or all identifying numbers which might apply to your situation:

Social Security: n/a VA: \_\_\_\_\_

Immigration "A" Number: \_\_\_\_\_ Date Filed: \_\_\_\_\_

Case Number: \_\_\_\_\_ Others: \_\_\_\_\_

Briefly state the nature of your problem (be specific):

Foster Farms Poultry is polluting our creek and land.

Briefly state the outcome you are seeking:

I am seeking assistance from EPA criminal division and would like for them to come to our farm and test and look over the test results that were conducted by our environmental company and assist us in obtaining an Injunction against Foster Farms.

(If more space is needed, please use the back of this form or include on another sheet of paper)

Signature: exempt Date: 1/28/14

Please mail or fax this form to:

Monroe Office: 1651 Louisville Ave., Ste 148, Monroe, LA 70508 fax (318) 325-9165

December 9, 2013

Senator David Vitter  
1651 Louisville Ave. - Suite 148  
Monroe, LA 71201

Dear Senator Vitter,

My name is *Exempt* and I live in Farmerville, LA on a farm consisting of a little over 100 acres of land which I was born, raised and lived for 69 years, land that has been used for farming for nearly 100 years.

My reason for writing you this letter is to express my deepest concern and frustration due to the fact that Foster Farms Poultry, one of the largest poultry integrators in the United States, is located approximately one mile behind my property, are polluting my land, as well as other landowners, with excessive amounts of nitrites, phosphorus, fecal coliform, ammonia, chloride, and other constituents of concern. Environmental experts have proven without a doubt there are no other point sources. This same polluted water also runs into Lake D'Arbonne, a well known and popular lake used for recreation.

Foster Farms have consistently violated their permits since taking ownership of the plant in May 2009. Foster's emissions exceed the Federal Primary Drinking Water Standard of 10 milligrams per liter resulting in the water not being safe for human or livestock consumption. They also exceed the EPA guidelines for recreational contact and fishing, and for human and livestock consumption. These exceedances and permit violations are unreasonable and blatantly negligent.

Unfortunately, I am currently in the middle of litigating this matter in federal court because Foster Farms denies and fails to take responsibility of this obvious and egregious problem.

Foster is a self reporting agency and the support from the EPA has been lacking and "overlooking" with only a "slap on the hand" attitude.

As a farmer and former chicken grower, I am a supporter of industry and promoting businesses and jobs and believe in being a good neighbor; however, I am not a supporter of big business's who come into communities and take advantage of the landowners, the growers, state funding, tax exemptions, the polluting of creeks, streams, drinking water, air, and become the employer of a large inmate labor force.

It is essential that the leaders of the local communities and of this state take a stand against such issues and hold the corporate giants accountable for their actions. Otherwise, the polluting

and negligence will continue. Any assistance your office could offer in addressing and resolving this problem would be greatly appreciated.

I can be reached at

*Exempt 6*

Thank you in advance.

Sincerely,

*Exempt 6*  
*Exempt 6*



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

March 11, 2014

*Exempt 6*  
Farmerville, LA 71241

Dear *Exempt 6*

The U.S. Environmental Protection Agency (EPA) received a request from Senator David Vitter on February 5, 2014, on your behalf regarding pollution from Foster Farms Poultry. Senator Vitter requested that the EPA respond directly to you and send a copy of our reply to his office.

Thank you for your letter dated December 9, 2013 regarding Foster Farms Poultry, a poultry processing facility. You stated that you are currently in litigation against Foster Farms Poultry for polluting your property and other's with excessive amounts of nitrates, phosphorus, fecal coliform, ammonia, and chloride. You also stated that these same pollutants are being discharged into Lake D' Arbonne.

The EPA is unable to respond to matters that are in litigation or be involved in third-party suits. As such, we have referred your complaint to the Louisiana Department of Environmental Quality (LDEQ) for civil investigation. The LDEQ has been delegated authority to implement the Clean Water Act and take appropriate enforcement action upon investigation of your complaint and verification that a violation has occurred. We have asked the LDEQ to provide a status report of their findings in the Foster Farms Poultry complaint. Please know that a thorough review and assessment process can take several weeks.

If you would like to follow-up on the status of your complaint at LDEQ, you should call the Single Point of Contact (SPOC) group, which is part of the Surveillance Division at LDEQ. Their 24-hour Hotline/Citizens complaint numbers are (225) 342-1234 or (888) 763-5424. Future complaints may also be filed online by going to [www.deq.louisiana.gov](http://www.deq.louisiana.gov).

If you have any other issues or questions, please contact Ms. Mona Bates, of my staff, at (214) 665-7152. Thank you for notifying EPA of your concerns.

Sincerely,

*Jerry Saunders*  
Jerry Saunders  
Associate Director  
Water Enforcement Branch

cc: Ms. Celina Cage, Administrator  
Enforcement Division  
Louisiana Department of Environmental Quality



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